

# DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below adjacent to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter (process, machine, manufacture, or composition of matter, or an improvement thereof) which is claimed and for which a patent is sought by way of the application entitled

## Grating Based Multiplexer/Demultiplexer Component

which (check) ☒ is attached hereto.  
☐ and is amended by the Preliminary Amendment attached hereto.  
☐ was filed on as Application Serial No.  
☐ and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No
N/A	N/A	N/A	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
N/A	N/A

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code,

§ 112, I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
N/A	N/A	N/A

I hereby appoint the following practitioners to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Customer Number 24251



Please address all correspondence and telephone calls to:

**Gary J. Edwards**  
**SKJERVEN MORRILL MacPHERSON LLP**  
 25 Metro Drive, Suite 700  
 San Jose, California 95110-1349

Telephone: 408-453-9200  
 Facsimile: 408-453-7979

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Full name of **FIRST** inventor: **Joseph Vanniasinkam**

Inventor's Signature: *Joseph Vanniasinkam*

Date: 12/14/01

Residence: Scarborough, Ontario

Post Office Address: 29 Presley Avenue  
Scarborough, Ontario M1L 3P4

Citizenship: Canadian

Full name of **SECOND** inventor: **Jon Meyer**

Inventor's Signature: *Jon Meyer*

Date: 12/14/01

Residence: Fremont, California

Post Office Address: 39965 Paseo Padre Parkway  
Fremont, CA 94538

Citizenship: U.S.

Full name of **THIRD** inventor: **Christopher Viray**

Inventor's Signature: *Christopher Viray*

Date: 12/14/01

Residence: Sunnyvale, California

Post Office Address: 1353 Bluebird Court  
Sunnyvale, California 94087

Citizenship: U.S.

Full name of **FOURTH** inventor: **Bor-Long Twu**

Inventor's Signature: *Bor-Long Twu*

Date: 12/14/01

Residence: Sunnyvale, California

Post Office Address: 965 Erica Drive  
Sunnyvale, California 94086

Citizenship: U.S.

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(F) AND 1.27(C)) -- SMALL BUSINESS CONCERN

Sir:

I declare that I am an official empowered to act on behalf of the small business concern identified below:

NAME OF CONCERN: Pine Photonics Communications, Inc.

ADDRESS OF CONCERN: 940 Auburn Court, Fremont, California 94538

For purposes of paying reduced fees under Section 41 of Title 35 of the United States Code with regard to the invention entitled by inventor(s) as described in U.S. Application Serial No(s). (Attorney Docket No. M-9340 US).

I declare that the above concern qualifies as a small business concern as defined in 37 CFR 1.9(d) and 13 CFR 121, and more particularly 13 CFR 121.802, namely, (a) the concern's number of employees, including those of its affiliates, does not exceed 500 persons, and (b) the concern has not assigned, granted, conveyed, or licensed, and is under no obligation to assign, grant, convey, or license, any rights in the invention to any person who made it and could not be classified as an independent inventor under 37 CFR 1.9(c), or to any concern which would not qualify as a nonprofit organization under 37 CFR 1.9(e) or a small business concern under 37 CFR 121.802.

I declare that rights under contract or law have been conveyed to and remain with the above-identified small business concern with regard to this invention.

I acknowledge my duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of

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paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate per 37 CFR 1.28(b).

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Signature: Li-chu Wang Date: Dec. 14, 2001  
Official's Name: Li-chu Wang  
Official's Title: VP Finance/Secretary  
Concern's Name: Pine Photonics Communications, Inc.